

HOUSE BILL REPORT

HB 1388

As Reported by House Committee On:
Early Learning & Human Services

Title: An act relating to mobile market programs.

Brief Description: Concerning mobile market programs.

Sponsors: Representatives Bernbaum, Parshley, Scott, Hill, Richards, Salahuddin, Berg, Simmons, Davis, Thai, Peterson, Reed, Ramel, Cortes, Taylor, Wylie, Pollet and Timmons.

Brief History:

Committee Activity:

Early Learning & Human Services: 1/28/25, 1/31/25 [DPS].

Brief Summary of Substitute Bill

- Creates the mobile market program which provides increased nutrition access to participants of the Women, Infants, and Children Nutrition Program and the Senior Farmers Market Nutrition Program by serving areas without a local farmer's market.

HOUSE COMMITTEE ON EARLY LEARNING & HUMAN SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Bergquist, Chair; Cortes, Vice Chair; Eslick, Ranking Minority Member; Burnett, Assistant Ranking Minority Member; Bernbaum, Dent, Goodman, Hill, Ortiz-Self, Penner and Taylor.

Staff: Luke Wickham (786-7146).

Background:

Mobile Markets.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Mobile markets operate using vehicles like buses, vans, trucks, or semi-trailers with refrigeration to provide greater access to fresh foods and to increase farm sales in areas without easy access to fresh fruits and vegetables. The United States Department of Agriculture (USDA) has provided funding for mobile markets through cooperative agreements to facilitate healthy food choices to low food access communities, also known as food deserts.

The Women, Infants, and Children Nutrition Program.

The Women, Infants, and Children Nutrition Program (WIC) is a nutrition program for people who are pregnant, have recently delivered a baby, are breast and chest feeding, and infants and children under five years old. Fathers, grandparents, and other caregivers of children under 5 may sign those children up for WIC. Foster children under 5 are also eligible for WIC. The Women, Infants, and Children Nutrition Program is funded by the United States Department of Agriculture (USDA) and administered in the State of Washington by the Department of Health.

WIC provides assistance to eligible families to purchase baby formula and certain healthy foods, including fruits and vegetables at farmers markets. Eligible families will receive a WIC card, shopping list, and shopping guide to assist in shopping for WIC-eligible foods.

Generally, eligibility depends on household size and income. For a family of three, the maximum annual income to qualify for WIC is \$47,767.

Senior Farmers Market Nutrition Program.

The Senior Farmers Market Nutrition Program (SFMNP) provides benefits to lower-income adults to purchase locally grown fruits, vegetables, honey, and herbs. The program is funded through a combination of federal grants from the USDA and administered in Washington through the Department of Social and Health Services.

Individuals who are age 60 or older and Native Americans/Alaska Natives age 55 or older with a monthly income below 185 percent of the federal poverty level are eligible for SFMNP benefits.

Summary of Substitute Bill:

The mobile market program is created in the Department of Health (DOH) with the goals of providing increased nutrition access to participants of the Women, Infants, and Children Nutrition Program (WIC) and the Senior Farmers Market Nutrition Program (SFMNP), while also supporting local farmers.

The mobile market program is available to participants of WIC and the SFMNP so long as funding is made available to the DOH through the United States Department of Agriculture (USDA).

The DOH must define the mobile market program through rulemaking, including a requirement for mobile market programs to be operated by a nonprofit organization and serve an area that does not have a farmers market.

If the DOH deems it necessary to file a waiver with the USDA, it must file a waiver requesting approval for the mobile market programs to accept both WIC and SFMNP benefits.

Substitute Bill Compared to Original Bill:

The substitute bill removes the emergency clause that is necessary for bills to take effect before 90 days following adjournment of the legislature and delays the effective date of the bill by 10 months (moving the date from May 1, 2025, to March 1, 2026).

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect on March 1, 2026.

Staff Summary of Public Testimony:

(In support) This bill provides affordable, local, healthy food to underserved areas and supports real farmers.

Unfortunately, the state currently does not allow mobile markets to accept Women, Infants, and Children Nutrition Program (WIC) benefits or Senior Farmers Market Nutrition Program (SFMNP) benefits. Every week customers have to be turned away from mobile market programs because these benefits are not accepted.

The rulemaking process provide an opportunity to create a clear definition of mobile markets that will maintain the purpose and intent of the program for growers, shoppers, and markets statewide.

Mobile farmers markets in Whatcom County have served both an urban community with high rates of food insecurity as well as a rural area designated by the United States Department of Agriculture (USDA) as a food desert. These markets accept Supplemental Nutrition Assistance Program (SNAP) benefits, and found funding to double these SNAP benefits, but are still missing some food insecure groups.

In one zip code in Whatcom County there are no retailers that accept WIC, including storefronts. This area has one of the highest WIC enrollment rates in the county, yet, with

no retailers nearby families are forced to drive between 40 and 90 minutes to find a store that will accept those benefits. Allowing the mobile farmers market to accept WIC will have a huge impact on these families.

This is contingent on federal funding.

This bill creates a new category that is not a farmer's market, and it's not a farm stand. But is essentially a direct aggregator.

This is a small bill, but food insecurity has skyrocketed in this state.

(Opposed) None.

(Other) Farmers market programs helped tens of thousands of households in 103 cities and 32 counties to redeem over \$4.8 million in food benefits, including SNAP, WIC, and SFMNP benefits. These programs now use a QR code for these benefits that individual farmers read with a mobile device.

The goals of providing access to local produce and supporting local farmers are supported, but there are concerns about the administrative and technical burden that this bill would bring.

Persons Testifying: (In support) Representative Adam Bernbaum, prime sponsor; Caitlin Sieh, Twin Sisters Mobile Market (Director of Special Projects); Alison Jensen; and Claire Lane, Anti-Hunger and Nutrition Coalition.

(Other) Colleen Donovan, WA State Farmers Market Association.

Persons Signed In To Testify But Not Testifying: None.